

Army  
FOIA/Privacy/Records  
Management Course

FOIA Exemptions 6 &  
7(C) and Investigative  
Records

# Freedom of Information Act

Exemption 3 in conjunction with 10 U.S.C. § 130b protects DOD personnel assigned to overseas, sensitive, or deployable units.



# Freedom of Information Act

Exemption 6: “personnel and medical files and similar files the disclosure of which would cause a clearly unwarranted invasion of personal privacy”



# Freedom of Information Act

- “Unwarranted” language means that not all privacy invasions are prohibited; there must be a balance



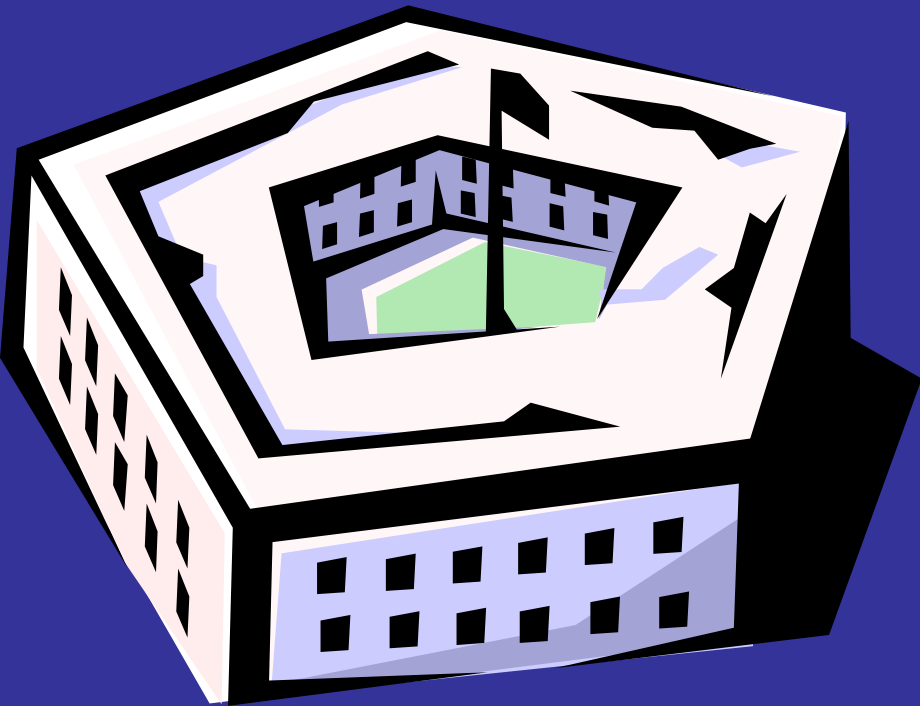
# Freedom of Information Act

## Privacy Interests



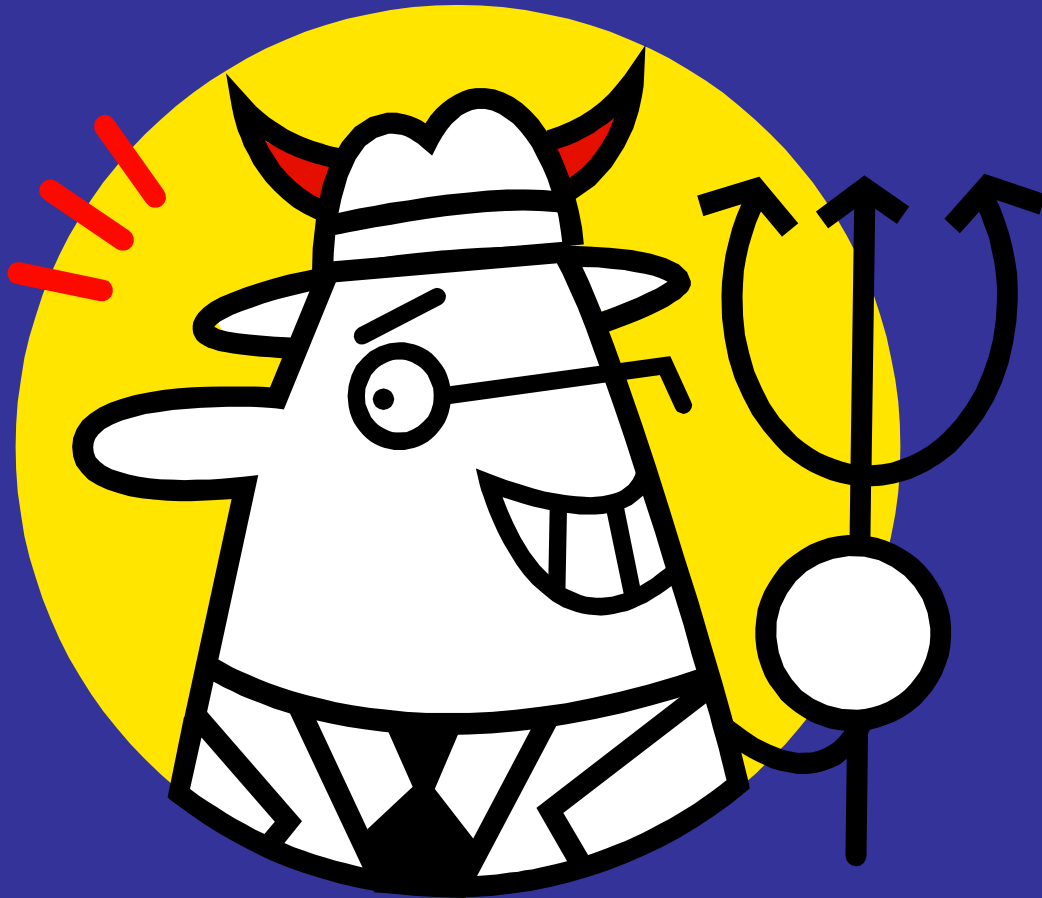
# Freedom of Information Act

## Public Interest



# Freedom of Information Act

Balance the Interests



# Freedom of Information Act

- Exemption (C) provides greater protection for law enforcement records than Exemption 6 does for all other records
- Not limited to criminal law enforcement records



# Freedom of Information Act

Special post 9/11 privacy  
protection for DOD  
military, civilian, and  
contractor personnel



# Freedom of Information Act

No discretionary releases of  
Exemption 6 or 7(C) records if  
covered by the Privacy Act



# Freedom of Information Act

Exemption 7(A): “records or information compiled for law enforcement purposes . . . to the extent that [their] production . . . could reasonably be expected to interfere with enforcement proceedings”



# Freedom of Information Act

Exemption 7(C): “records or information compiled for law enforcement purposes . . . to the extent that [their] production . . . could reasonably be expected to constitute an unwarranted invasion of personal



# Freedom of Information Act

Exemption 7(D): law enforcement information that could reasonably be expected to identify a confidential source or in a criminal or national security file, any information provided by the confidential source



# Freedom of Information Act

Exemption 7(F): “records or information compiled for law enforcement purposes . . . to the extent that [their] production . . . could reasonably be expected to endanger the life or personal safety of any individual”

